

**IN THE UNITED STATES DISTRICT COURT
IN AND FOR THE DISTRICT OF DELAWARE**

JOHN M. CONSTANTINI,)	
on his own behalf and as administrator)	
of the estate of CHERYL A. CONSTANTINI,)	
)	C.A. No. 05-680GMS
Plaintiff,)	
)	
v.)	
)	
OPTIMUM CHOICE, INC.)	
)	
Defendant.)	

STIPULATION OF DISMISSAL

Plaintiff John M. Constantini (on his own behalf and as administrator of the estate of Cheryl A. Constantini) and defendant Optimum Choice, Inc. hereby stipulate and agree, pursuant to Federal Rule of Civil Procedure 41(a)(1), that this action is dismissed with prejudice, with each party to bear its own costs.

MURPHY SPADARO & LANDON

STRADLEY RONON STEVENS &
YOUNG, LLP

/s/ John S. Spadaro
John S. Spadaro, No. 3155
1011 Centre Road, Suite 210
Wilmington, DE 19805

/s/ Maryanne T. Donaghy
Maryanne T. Donaghy, No. 4213
300 Delaware Avenue, Suite 800
P.O. Box 2170
Wilmington, DE 19899-2170

Attorneys for plaintiff
John M. Constantini

Attorneys for defendant
Optimum Choice, Inc.

October 20, 2006

**IN THE UNITED STATES DISTRICT COURT
IN AND FOR THE DISTRICT OF DELAWARE**

JOHN M. CONSTANTINI,)	
on his own behalf and as administrator)	
of the estate of CHERYL A. CONSTANTINI,)	
)	C.A. No. 05-680GMS
Plaintiff,)	
)	
v.)	
)	
OPTIMUM CHOICE, INC.)	
)	
Defendant.)	

NOTICE OF SERVICE

I hereby certify that on this date, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF which will send notification of such filing(s) to the following:

Maryanne T. Donaghy, Esq.
Stradley Ronon Stevens & Young, LLP
300 Delaware Avenue, Suite 800
P.O. Box 2170
Wilmington, DE 19899-2170

Respectfully submitted,

MURPHY SPADARO & LANDON

/s/ John S. Spadaro
John S. Spadaro, No. 3155
1011 Centre Road, Suite 210
Wilmington, DE 19805
(302) 472-8100

Attorneys for plaintiff John M. Constantini,
on his own behalf and as administrator of the estate
of Cheryl A. Constantini

October 20, 2006